

# MANDATE

## United States Court of Appeals For the First Circuit

05-11818  
USD:MKZ  
Zobel, R.

No. 07-1629

UNITED STATES,  
  
Plaintiff, Appellee,  
  
v.

TERRENCE J. JOYCE,  
  
Defendant, Appellant.

Before

Boudin, Chief Judge,  
Selya, Senior Circuit Judge,  
and Lipez, Circuit Judge.

### JUDGMENT

Entered: October 12, 2007

Defendant appeals from the grant of summary judgment to plaintiff and the denial of his motion to dismiss for want of prosecution. Reviewing the grant of summary judgment de novo and the denial of the motion to dismiss for an abuse of discretion, we affirm, essentially for the reasons stated in the district court's order of February 16, 2007.

Accordingly, the judgment of the district court is affirmed.  
See 1st Cir. R. 27.0(c).

**Certified and Issued as Mandate  
under Fed. R. App. P. 41.**

**Richard Cushing Donovan, Clerk**

  
Deputy Clerk

Date:

12/3/07

By the Court:

Richard Cushing Donovan, Clerk.

MARCOLLI, CLERK

By:

Chief Deputy Clerk.

[cc: Terrence J. Joyce, Christopher R. Donato, AUSA]